THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.21863 of 2007

Between:

Mohd.Ibrahim.

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PETITIONER

and

The Revenue Divisional Officer and another.

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RESPONDENTS

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ORDER:

It is stated that the land admeasuring Ac.8-00 gts. in Sy.No.72/1

situated at Battisavargaon Village, Adilabad Mandal and District, was assigned in favour of one Kummari Istari and the petitioner purchased the said land from Kummari Istari in the year 1973 through a registered Sale Deed, dated 06-03-1973. As the petitioner is in possession of the said land in violation of Sub-Section 2 of Section 3 of A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 (for short "the Act"), the 2nd respondent after issuing notice to the original assignee as well as the petitioner and after considering the explanation submitted by the petitioner on 10-09-2007, the 2nd respondent passed an order in proceedings No.C/5804/97, dated 20-09-2007, resuming the land in question into Government custody in exercise of powers conferred under Section 4 of the Act. Aggrieved by the same, the petitioner filed an appeal along with stay application before the 1st respondent on 29-09-2007 and the same are pending.

As the appeal is pending, without expressing any opinion on the merits of the case, I am of the opinion that it is just and proper to direct the 1st respondent to consider and dispose of the appeal itself.

Accordingly, the writ petition is disposed of directing the 1st respondent to consider and dispose of the appeal filed on 29-09-2007, in accordance with law. Pending disposal of the appeal, status-quo obtaining as on today with regard to possession shall be maintained. There shall be no order as to costs.

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11-10-2007

Prv